

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:04CR473
)	
vs.)	FINAL ORDER OF
)	FORFEITURE
)	
CLIFFORD TAYLOR, JR.,)	
)	
Defendant.)	

NOW ON THIS 28th day of April, 2005, this matter comes on before the Court upon the United States' Motion to Dismiss Petition for Lack of Standing (Filing No. 27). The Plaintiff is represented by Assistant United States Attorney, Nancy A. Svoboda. Mr. and Mrs. Clifford Taylor, Sr., did not appear, neither personally nor through counsel. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On January 24, 2005, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 21, United States Code, Sections 846, 853 and Title 18, United States code, Sections 922, based upon the Defendant's plea of guilty to Counts I, VI and VII of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in \$6,456.00 in United States currency was forfeited to the United States.

2. On February 10, 17 and 24, 2005, the United States published in a newspaper of general circulation notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law, and further notifying all third parties of their right to petition the Court within the stated period of time for a hearing to adjudicate the validity of their alleged legal

interest(s) in said property. An Affidavit of Publication was filed herein on March 24, 2005 (Filing No. 25).

3. On February 24, 2005, Clifford Taylor, Sr. and Barbara Taylor, husband and wife, filed a Motion (Filing No. 23), alleging an interest in a portion of the subject currency. The United States of America filed a Motion to Dismiss Petition for Lack of Standing (Filing No. 27) in response to the Taylors' Motion.

4. On April 27, 2005, a hearing was held regarding the parties' Motions. This Court sustained the United States' Motion to Dismiss for the reason the Taylors had no standing to contest the United States' forfeiture action.

5. The Plaintiff's Motion to Dismiss Petition for Lack of Standing should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion to Dismiss Petition for Lack of Standing is hereby sustained.

B. All right, title and interest in and to the subject property, i.e., \$6,456.00 in United States currency, held by any person or entity, is hereby forever barred and foreclosed.

C. The subject property, i.e., \$6,456.00 in United States currency, be, and the same hereby is, forfeited to the United States of America .

D. The United States Marshal for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 28th day of April, 2005.

BY THE COURT:

s/ Joseph F. Bataillon
JOSEPH F. BATAILLON, CHIEF JUDGE
United States District Court